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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,637	11/02/2000	Fumihiko Nishio	450106-02388	8916

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745 FIFTH AVENUE- 10TH FL.  
NEW YORK, NY 10151

EXAMINER

BUI, KIEU OANH T

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/674,637	<b>Applicant(s)</b> NISHIO ET AL.	
	<b>Examiner</b> KIEU-OANH T BUI	<b>Art Unit</b> 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/02/2000</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --*

*(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.*

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Kaiser et al. (U.S. Patent No. 6,473,804 B1/ or “Kaiser”).

Regarding claims 1 and 5, Kaiser discloses “a receiving apparatus for receiving contents data that is transmitted; a first identifier converting means for converting an indefinite length identifier contained in the data into a fixed length identifier; a storing means for storing received contents data including identifiers; inputting means for inputting a user’s request for content data; a second identifier converting means for converting an indefinite length identifier added to the contents data; and comparing means for comparing the fixed length identifier outputted from the second converting means, and generating the compared result of the fixed length identifiers and identifying the corresponding contents data”, i.e., Kaiser discloses a content delivery system that a user can request the content data based on an indexical resource identifier (uniform resource identifier or URI), the checking and comparison comprise the identifying and

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converting variable length identifiers to fixed length identifiers together with the storage means for storing content data and the identifying the result compared data for displaying to the user (Figs. 4 & 5, col. 7/line 38 to col. 9/line 52, col. 10/line 29-col. 11/line 5, col. 12/line 14-55 for checking and comparison of the request content data vs the stored content data based on URI identification, and col. 13/lines 34-52 for the length of URI is not limited).

As for claims 2 and 6, this limitation is a repetition of the comparison step earlier mentioned in claims 1 and 5 with the user's request for the contents data for the matching of requested data and the stored data is disclosed by Kaiser (Figs. 4 & 5, col. 7/line 38 to col. 9/line 52, col. 10/line 29-col. 11/line 5, col. 12/line 14-55, and col. 13/lines 34-52 for the length of URI is not limited).

Regarding claims 3 and 7, this limitation is met by Kaiser for a transmitting and receiving apparatus having storing means for storing transmission data, identifier adding means, and transmitting means in addition to a receiving apparatus as claimed earlier in claim 1 (Fig. 3 for a connecting server with memory, data storage and means for transmitting content data, and col. 7/line 21 to col. 8/line 52).

As for claim 4, this limitation is met by Kaiser for a transmitting apparatus with identifier adding means, storing means, identifier converting means, and transmitting means (claims 1 and 3 above).

As for claims 8-9, these method claims are rejected for the reasons given in the scope of apparatus claims 1-3 as already disclosed above.

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***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Downs et al. (US Patent 6,226,618 B1) disclose content delivery system related to URI.

4. **Any response to this action should be mailed to:**  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to: (703) 872-9306, (for Technology Center 2600 only)**

*Hand-delivered responses should be brought to Crystal Park II,  
2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:30 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant, can be reached on (703) 305-4755.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Krista Bui  
Art Unit 2611  
November 3, 2004

  
**KRISTA BUI  
PATENT EXAMINER**